

IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Eric Alan Sanders,

Plaintiff,

v.

South Carolina Department of Mental Health;  
State of South Carolina,

Defendants.

C/A No. 3:23-cv-4457-SAL

**ORDER**

Plaintiff Eric Alan Sanders, a self-represented litigant, filed this civil action against the named defendants. He has now filed a motion to voluntarily dismiss this case without prejudice. [ECF No. 12.] This matter is before the court on the Report and Recommendation (the “Report”) issued by United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), recommending the court grant Plaintiff’s motion to voluntarily dismiss his case. [ECF No. 18.] Defendants filed a response indicating that they consent to Plaintiff’s motion. [ECF No. 16.] Attached to the Report was a notice advising Sanders of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. [ECF No. 18 at 3.] None of the parties have objected to the Report, and the time for doing so has expired.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1).

In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After reviewing the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 18, and incorporates it by reference herein. As a result, Plaintiff’s motion to dismiss, ECF No. 12, is **GRANTED**, and this matter is **DISMISSED WITHOUT PREJUDICE**.<sup>1</sup> Plaintiff’s pending motion, ECF No. 15, is **TERMINATED AS MOOT**.

**IT IS SO ORDERED.**

March 13, 2024  
Columbia, South Carolina

  
Sherri A. Lydon  
United States District Judge

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<sup>1</sup> The court again reminds Plaintiff that any complaint he may file in the future will be subject to the applicable statute of limitations.